

03-907 COMMISSIONER OF INTERNAL REVENUE V. BANAITIS

DECISION BELOW: 340 F3d 1074

LOWER COURT CASE NUMBER: 02-70421

QUESTION PRESENTED:

Whether, under Section 61(a) of the Internal Revenue Code, 26 U.S.C. 61(a), a taxpayer's gross income from the proceeds of litigation includes the portion of his damages recovery that is paid to his attorneys pursuant to a contingent fee agreement.

CONSOLIDATED WITH 03-892 FOR ONE HOUR ORAL ARGUMENT.

CERT. GRANTED 3/29/2004